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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hiroyuki KATAGIRI, et al.
Serial No.: 10/021,904 Group No.: 3622
Filed: December 13, 2001 Examiner: D. Lastra
For: METHOD AND SYSTEM FOR PROVIDING ADDITIONAL SERVICE TO
MERCHANDISE
Attorney Docket No.: U 013774-2
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

The RESPONSE of November 5, 2005, supported patentability with objective evidence of commercial success. Such evidence should be considered to be in affidavit/declaration form, as at will be on request.

In present support thereof, translator attestation is provided for an English translation of a Nikkei News article of August 12, 2001, previously filed.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office to (571) 273-8300


SignatureDate: November 15, 2005William R. Evans
(type or print name of person certifying)

Additional information is:

- (1) There were no advertising expenses for this particular chocolate on both sales terms (the first term shown in the blue graph and the second term shown in the red graph of Document 8). That is there were no commercial messages provided for this particular chocolate shown in Document 2 on TV or magazines for these two terms.
- (2) The packages of this particular chocolate were displayed on the same counter of the same supermarket during both of the first and the second terms. There were no poster or leaflet explaining a campaign in the supermarket.
- (3) The package of the chocolate sold in the first term and that sold in the second term are identical with one exception that the former includes an ID code printed inside a package but the latter does not.

According to the above-described facts, the following results may be induced.

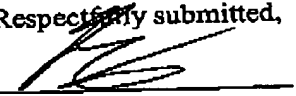
- (a) Most of consumers did not know whether or not the campaign was carried out in both the terms until he/she purchased and opened the box of the chocolate for the first time in the respective terms.

(b) In the first term, a consumer who bought the chocolate for the first time would notice that the campaign was carried out because he/she found an ID code and its instruction inside a package. It might induce him/her to buy another chocolate or a toy. In the same way, a consumer who bought a toy might be induced to buy another toy or a chocolate. The campaign is considered to have an effect to induce consumers to purchase the chocolate or the toy repeatedly.

(c) In the second term, a consumer who bought th chocolate would notice that the campaign was finished because he/she did not find an ID code inside a package. therefore, there was no effect to induce consumers to purchase the chocolate or the toy repeatedly anymore.

As shown in the graphs of document 8, a decreasing speed of the blue graph is smaller than that of the red graph. This shows that the joint sales campaign according to the present invention has a remarkable effect to induce consumers to purchase the chocolate repeatedly.

Respectfully submitted,


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Alexandria, VA 22313-1450

STATEMENT OF ACCURACY OF A TRANSLATION
(37 C.F.R. SECTIONS 1.52(d), 1.55(a), 1.69)

I, the below named translator, hereby state that:

My name and post office address are as stated below;

That I am knowledgeable in the English language and in the language of the

- ☒ attached document
☐ below identified document

and I believe the attached English translation to be a true and complete translation of this document.

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Signature

William R. Evans

(type or print name of person certifying)

Date: November 15, 2005

(Statement of Accuracy of Translation--page 1 of 2) 5-3

(identify attached or previously filed document)

The document for which the attached English translation is being submitted is

Document 1 -- Article of News Paper (Nikkei News Paper dated Aug. 12, 2001)

(check and complete, if applicable)

☒ This foreign language document was filed in the PTO on or about November 3, 2005

Date: ☒ November 9, 2005

Full name of the translator ☒ Hiroshi SHIMURA

Signature of the translator ☒



Post Office Address ☒

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Tokyo 144-0035 JAPAN

(Statement of Accuracy of Translation--page 2 of 2) 5-3

EXPLANATION OF DOCUMENTS FOR 10/021904

Document 1

Article of News Paper (Nikkei News Paper dated Aug. 12, 2001)

English Translation of Article:

MELJI SEIKA AND DAI NIPPON PRINTING DEVELOP "ELECTRIC FREEBIE"

GAME IS PROVIDED TO CONSUMERS THROUGH NETWORK

Meiji Seika, Tomy and Dai Nippon Printing have cooperated to develop "Electric Freebie" which can be obtained through Internet. When a consumer inputs ID codes, which are printed on packages of products of Meiji and Tomy, on a form sheet of a Web page, he/she can enjoy a game. This is the first business trial for providing Freebie through the net. This business trial attracts a great deal of attention whether young consumers, who usually enjoy TV games, are to be interested in or not. First, Meiji is going to sell a box of chocolates with a teddy bear doll inside it to provide "Electric Freebie" in Chubu area on August 21. Inside the package of the chocolate, a twelve-digit ID code is supposed to be printed. Tomy is going to sell three products such as a doll house in the shape of trunk to accommodate teddy bear dolls on the end of August. Inside the package of the products, a nine-digit ID code is supposed to be enclosed. When a consumer inputs the printed ID code on a certain Web page, he/she can play a slot machine game. A consumer who has ID codes of both the companies can challenge the game more times. Dai Nippon Printing has developed a new printing technology in which a plurality of different ID codes can be printed on packages of respective products with high speed and developed a new system in which only a consumer who obtained an ID code can get "Electric Freebie". The three companies have filed a business method patent application for "Electric Freebie" providing system. In future, they are planning to build a virtual Theme Park on the net and provide "Electric Freebie" so that only a consumer having an ID code can enter the Theme Park.